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GERINGER
GOVERNOR

Department of Environmental Quality

3030 Energy Lane • Suite 200 • Casper, Wyoming 82604

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|--|--|--|-----------------------------------|
| Oil & Hazardous Waste Division (307) 473-3450 | Air Quality Division (307) 473-3455 | Water Quality Division (307) 473-3465 | Abandoned Mines (307) 473-3460 |
|--|--|--|-----------------------------------|

March 18, 1998

Faxed 3/18/98

Mr. Bob Laidlaw
610 Vaquero Road
Arcadia, CA 91007

Certified # 2421 835 345
Return Receipt Requested

Mr. Mark Johnson
2521 Castle Hill Avenue
Salt Lake City, UT 84121

Certified # Z 421 835 346
Return Receipt Requested

RE: R.J. Refinery, LaBarge, Wyoming

Dear Sirs:

Following our previous correspondence regarding the requirements for immediate action for securing this site, additional information of an alarming nature has come to light. It has been reported to this office that two or more drums containing wastes reported to be sludge and/or tank bottoms related to lead mixing activities at this facility have been at least partially excavated at your request and direction. These drums are further reported to currently be located in an excavation which is unsecured and that the drums are not covered or stabilized in any other manner.

Due to the increased hazards these drums represent at this site, the Department has determined free and unfettered access to the drums constitutes a potential and significant threat to human health and the environment. As such, the Department is seeking your voluntary cooperation to immediately secure sufficient to prohibit access, stabilize, cover, and test these drums, and to follow up those actions by appropriate removal and disposal by person or persons properly trained and experienced to perform these activities. The Department considers such immediate action as prudent and necessary for protection of human health and the environment.

Please take all steps necessary to secure, stabilize, cover and sample the drums within 10 days of your receipt of this letter. Tests for the drum contents should, at a minimum include TCLP lead, total lead and reactivity. Additionally, we request that you voluntarily remove and dispose of the drums and their contents within 30 days of your receipt of this letter. Documentation of

steps taken should be provided to this office within 15 days of completion of each activity. The Department further requests you provide as much detailed information as possible regarding the point in the leading process that the tanks originally generating the drum contents. Additionally, the Department is requesting that you and/or your principles take no other action involving excavation of potentially hazardous wastes without prior notification and authorization by the Department.

We are seeking your immediate, voluntary cooperation in reducing the public health and environmental hazards present at the R.J. Refinery. However, I must tell you that absent your voluntary cooperation, the Department will consider taking a formal enforcement action which would seek to compel you to eliminate the hazardous conditions at the refinery, and which may seek to recover penalties as provided in the Wyoming Environmental Quality Act.

Should you have any questions regarding the January site visit, this or the previous correspondence, or the upcoming inspection, please contact Lynda Fivas at (307) 473-3450.

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Finley", followed by a small flourish.

David Finley
Administrator, Solid and Hazardous Waste Division (SHWD)

cc: Scott Howard
RW Breuer
LP Fivas
CA Anderson
David Evans, Attorney